

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

October 28, 2005

DIVISION ONE

B169328 O Hill Properties (Not for Publication)
 v.
 9441 Wilshire Blvd., L.P., et al.

The judgment is affirmed. 9441 Wilshire Blvd., L.P. and David Adams are entitled to their costs of appeal, including attorney's fees, and the cause is remanded to the trial court with directions to determine the amount thereof.

Vogel (Miriam A.), J.

We concur: Spencer, P.J.
 Rothschild, J.

B176696 People (Not for Publication)
 v.
 Jones

We reverse the judgment insofar as it convicts defendant of two counts of aggravated kidnapping (counts 2 and 3) and finds true the enhancement allegation that defendant kidnapped the victim. We modify the judgment to reflect that defendant's sentence is 85 years to life imprisonment (25 years to life imprisonment, tripled [Pen. Code, §§ 667, subds. (b)-(i), 667.61, subds. (a), (d)], plus two five-year prior conviction enhancements [*id.*, § 667, subd. (a)]), plus two concurrent 25-years-to-life sentences imposed on counts 4 (residential robbery) and 5 (first degree burglary), the execution of which the trial court stayed pursuant to Penal Code section 654. In all other respects, we affirm the judgment.

Spencer, P.J.

We concur: Mallano, J.
 Rothschild, J.

DIVISION ONE (Continued)

B173513 Estate of Joseph C. Abravaya (Not for Publication)
 v.
 Eisenberg

The request for dismissal of this appeal is granted. The appeal filed on February 18, 2004 is dismissed with prejudice. (Cal. Rules of Court, rule 20 (c)(2).) In accordance with their stipulation, the parties are to bear their own costs on appeal. The remittitur shall issue forthwith. (*Id.*, rules 20 (c)(2), 26(c)(1).)

Spencer, P.J.

We concur: Vogel (Miriam A.), J.
 Mallano, J.

B179253 People (Not for Publication)
 v.
 Dominguez

The judgment is affirmed.

Spencer, P.J.

I concur: Rothschild, J.
I concur in judgment only: Vogel (Miriam A.), J.

B177487 Baker (Not for Publication)
 v.
 County of Los Angeles et al.

The judgment is affirmed; the order denying defendants' motion for attorney's fees is affirmed.

Spencer, P.J.

I concur: Rothschild, J.
I concur in judgment only: Vogel (Miriam A.), J.

October 28, 2005 (Continued)

DIVISION TWO

Court convened at 10:00 a.m.

Present: Boren, P.J., Doi Todd, J., Ashmann-Gerst, J. and Joyce Hatter, Deputy Clerk.

B110119 People
B116065 v.
 Wells

Merits:

Argued by Susan L. Wolk for appellant and by David A. Wildman, Deputy Attorney General for respondent. Cause submitted.

Court adjourned.

DIVISION THREE

B170281 People
 v.
 Ralph Carl Palmer

Filed order vacating submission order of July 29, 2005. Due to the press of other court business and the complexity of the issues in this case, additional time is needed to complete and file the opinion in this matter. Cause resubmitted.

DIVISION FOUR

B177553 Rauvola (Not for Publication)
 v.
 Rauvola

The judgment is affirmed. Respondent(s) to recover costs.

Hastings, J.

We concur: Epstein, P.J.
 Curry, J.

October 28, 2005 (Continued)

DIVISION FOUR (Continued)

B177046 People (Not for Publication)
v.
Pearson

The judgment is affirmed.

Hastings, J.

We concur: Epstein, P.J.
Curry, J.

DIVISION FIVE

B182361 People (Not for Publication)
v.
McCarthy

The judgment is affirmed.

Turner, P.J.

We concur: Armstrong, J.
 Kriegler, J.

DIVISION EIGHT

B161255 John McTiernan (Certified for Publication)

v.

Donna Dubrow

In re the Marriage of John McTiernan and Donna Dubrow

The judgment is reversed insofar as it limits to June 30, 2002, the obligation to pay spousal support and the court's jurisdiction to enlarge or extend such support. the superior court shall enter judgment retaining such jurisdiction, and providing for spousal support payable by husband to wife for the period commencing July 1, 2002, and continuing as warranted. The judgment is to be modified by deleting &1.5 million in assets, denominated as goodwill, from property that is subject to division. The judgment is also to be modified as to the amount of wife's attorney's fees to be paid by husband, and the credit against the equalization payments. In all other respects, the judgment is affirmed. Wife shall recover costs on both appeals.

Flier, J.

I concur: Boland, J. (Opinion)

I concur and dissent: Cooper, P.J. (Opinion)